



***Public Health Emergency Finding  
at the  
Libby Asbestos Site  
Lincoln County, Montana***

Briefing for

*Administrator Lisa P. Jackson*

June 16, 2009

## ***OPA : Overview of Press Event***

- Releases and Website
- Press Conference
  - Speaking line-up
  - Visuals
  - Message
  - Montana press will be participating by conference phone
  - Stakeholders
- Administrator will be the only EPA spokesperson on this issue

## ***Limitation on Response Authority***

- CERCLA 104 (a)(3) – “The President (EPA by delegation) shall not provide for a removal or remedial action under this section in response to a release or threat of release...
- (B) from products which are part of the structure of, and result in exposure within residential buildings or community structures;

## ***Exception to Limitation***

- CERCLA 104(a)(3) ... “the President (EPA by delegation) may respond to any release or threat of release if *in the President’s discretion*, it constitutes a public health or environmental emergency  
*and*  
no other person with the authority and capability to respond to the emergency will do so in a timely manner.”

## ***2009 Public Health Emergency Finding***

- Finding
- Summary of Facts that constitute Public Health Emergency (PHE)
- EPA's Actions at Libby Asbestos Site
- Asbestos releases at the site
- Statutory Basis
- Administrator's signature

## ***What is the process for determining a Public Health Emergency***

- EPA does not have an established or formal process for determining whether a PHE exists.
  - First time EPA has made a PHE finding under CERCLA.
  - The Libby site has unique exposures that are causing adverse health effects

## ***Why is Libby Unique?***

- Multiple sources of potential exposures and exposure routes
- Limited available medical care
- High Rate of occurrence of asbestos-related disease
- Atmospheric and terrain-related conditions

## ***What are the Specific Exposures?***

- **Historic Pathways of Exposure**
  - Vermiculite waste piles
  - Mine workers' families exposed to their contaminated clothes and shoes
  - Occupation exposure at the mine
- **Current Pathways of Exposure**
  - Air in attics and crawlspaces
  - Indoor air where breached walls or contaminated dust exist
  - Outdoor air near highways/rail lines where asbestos material spilled
  - Outdoor air near disturbed soil
  - Outdoor ambient air



## ***What About Other Sites that Received Vermiculite Ore from Libby?***

- Since 2000, EPA has evaluated over 271 sites believed to have received asbestos contaminated ore from Libby
- These sites are not included in the PHE
  - None of the sites have the conditions and multiple exposures seen in Libby - they did not involve mining
- 20 sites have been cleaned up by EPA, States, PRPs
- Of the 271 sites, 105 received 95 % of the contaminated ore shipped from Libby. EPA is re-assessing these exfoliation sites (where ore is heated and expanded into a low density material) because of:
  - Improvements in sampling and analytical methods
  - Recent technical guidance for investigating asbestos sites

## ***How Long Will it Take to Clean Up Properties in Libby and Troy?***

- Action Memo to be signed tomorrow to continue removal actions
- Current estimate: 2,050 properties will require cleanup
  - 1,103 properties cleaned up as of December 2008
  - Exact number of properties needing cleanup will not be known until a Record of Decision is completed w/ final cleanup goals
- ROD in 2013 after Risk Assessment is complete
- Additional studies for ROD and risk assessment:
  - Activity-based sampling - final report by fall 2009
  - Libby amphibole non-cancer and cancer endpoints final by 2011 for use in final ROD
  - Toxicity and dosimetry laboratory research--Complete by 2015 for use in 5 year reviews of remedy protectiveness

## ***Why is EPA Leaving Unexposed Vermiculite Insulation in Walls?***

- Following EPA guidance

"Managing Asbestos In Place: A Building Owner's Guide to Operations and Maintenance Programs for Asbestos-Containing Materials"
- EPA will remove asbestos insulation during building demolition or renovation
- Rigorous Outreach and In-Place Management
  - EPA will clean interior of homes
  - EPA will provide HEPA vacuums and replacement filters
- EPA on-site Environmental Resource Specialist
  - Available to community for help on managing releases
  - Control and cleanup demolition/renovation

## ***What is EPA Doing About Vermiculite Insulation in Homes Across the U.S.?***

- Homes outside of Libby/Troy are not part of the Public Health Emergency
- EPA is launching an extensive outreach effort to inform the general public about the potential risks and the steps that should be taken to reduce exposure
  - Outreach to trade and industry associations - electricians, plumbers, contractors
- EPA message in guidance is assume vermiculite contains asbestos and do not disturb it.

## ***How will Medical Care be Provided by HHS? Is there Enough Funding?***

- EPA is not authorized to provide medical care
- HHS is in the process of awarding a \$6 Million grant to Lincoln County, MT. for the first year
- HHS currently does not have funding for additional years of medical care

## ***Communications in Montana***

- Libby Community Meeting on Monday, June 22
  - HHS Representative to Attend
  - Large turn-out expected
- PHE Finding and Background Information to be posted on Region 8 Web site
- July visit by Administrator with Senators